



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/510,697

11/29/2004

Gerardo Gomez Paredes

60282.00211

4314

32294

7590

09/30/2008

SQUIRE, SANDERS & DEMPSEY L.L.P.

8000 TOWERS CRESCENT DRIVE

14TH FLOOR

VIENNA, VA 22182-6212

EXAMINER

KAO, JUTAI

ART UNIT

PAPER NUMBER

2616

MAIL DATE

DELIVERY MODE

09/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/510,697	Applicant(s) GOMEZ PAREDES ET AL.	
	Examiner JUTAI KAO	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 June 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 and 10-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 10-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Amendments of the claims made on 06/06/2008 cures the claim objections and 35 USC 112 rejections. Corresponding objections and rejections are withdrawn.

Amendments of the claims made on 06/06/2008 change the scope of the original claims. Therefore, this action is made FINAL as a new search is necessitated by the amendment.

Response to Arguments

1. Applicant's arguments with respect to claim 1-5 and 10-26 have been considered but are moot in view of the new ground(s) of rejection.

The applicant first argues about the newly added limitations, which are addressed in the new rejections as shown below.

The applicant also argues about the limitation of “translating rules into a form executable by a plurality of policy based radio resource management devices”. As shown in the previous rejection and the following rejections, Naveh discloses the plurality of radio resource management devices comprising the network devices 620. Naveh also shows the translation of the rules (see “abstract definitions of services that are later translated into a specific configuration of network device” recited in column 15, line 36-44, wherein the abstract definitions represents the rules and the configuration is the executable form of the rules). It is also shown in the rejections that the rules defines actions to be executed in dependency of an occurrence of conditions (see “each policy

Art Unit: 2616

statement associates a condition of one of the traffic flows...and an action comprising one of the quality of service treatments” recited in column 6, line 10-14).

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 10, 12-14, 16 and 25 are rejected under 35 U.S.C. 102(e) as being anticipated by Naveh (US 6,466,984).

Naveh discloses a method for policy-based management of quality of service treatments of network data traffic flows including the following features.

Regarding claim 10, an apparatus (see combination of policy server 216, administrator station 220 and repository 218 in Fig. 2), comprising: a controller (see “administrator station 220” recited in column 7, line 26 and policy server 216 shown in Fig. 2) configured to administrate multi-radio access network (see network shown in Fig. 2, which may include wireless links as shown in column 17, line 21) for controlling a behavior of said multi-radio access mobile networks (see “administrator station 220” recited in column 7, line 26 and policy server 216 shown in Fig. 2; also see “a network administrator...may map application parameters into network services...” recited in column 9, line 42-45), an information model (see “Schema...information model” recited in column 9, lines 19-21) is implemented in said control center means which describes different Quality-of-Service mechanisms (see “mappings representing...network quality

Art Unit: 2616

of service..." recited in column 5, line 25-28) including attributes which are involved in each function under policy to represent manageable parameters of specific network implementations (see "application-specific parameters" recited in column 9, line 18-28), wherein functions under policy include admission control for new radio access bearers and radio bearers, and/or a dynamic configuration of a packet scheduler and/or a load control (see "may place limits on the amount of resources...For example, an organization may agree not to send traffic that exceeds a certain bandwidth..." recited in column 3, lines 45-60; which represents a load control); and a processor configured to a set of policy rules based on the information model (see "Policies may be represented by statements stored in a directory schema" recited in the abstract), wherein said set of rules defines actions to be executed in dependency of an occurrence of conditions (see "each policy statement associates a condition of one of the traffic flows...and an action comprising one of the quality of service treatments" recited in column 6, line 10-14).

Regarding claim 12, wherein said controller comprises a configuration data base configured to store said parameters (see "storing one or more mappings comprises registering one or more application codepoints, which are associated with traffic flow types, in the repository..." recited in column 5, line 36-50; and see "storing...conditions of one of the traffic flows...and an action..." recited in column 6, line 15-26).

Regarding claim 13, an apparatus (see combination of policy server 216, administrator station 220 and repository 218 in Fig. 2), comprising: administering means (see "administrator station 220" recited in column 7, line 26 and policy server 216 shown in Fig. 2) for administrating multi-radio access network (see network shown in Fig. 2,

Art Unit: 2616

which may include wireless links as shown in column 17, line 21) for controlling a behavior of said multi-radio access mobile networks (see “administrator station 220” recited in column 7, line 26 and policy server 216 shown in Fig. 2; also see “a network administrator...may map application parameters into network services...” recited in column 9, line 42-45), implementing means (see Repository 218 and policy server 216 in Fig. 2) for implementing an information model (see “Schema...information model” recited in column 9, lines 19-21) which describes different Quality-of-Service mechanisms (see “mappings representing...network quality of service...” recited in column 5, line 25-28) including attributes which are involved in each function under policy to represent manageable parameters of specific network implementations (see “application-specific parameters” recited in column 9, line 18-28), wherein functions under policy include admission control for new radio access bearers and radio bearers, and/or a dynamic configuration of a packet scheduler and/or a load control (see “may place limits on the amount of resources...For example, an organization may agree not to send traffic that exceeds a certain bandwidth...” recited in column 3, lines 45-60; which represents a load control); and processing means (see policy server in Fig. 216 and administrator station 220 in Fig. 2) for forming a set of policy rules based on the information model (see “Policies may be represented by statements stored in a directory schema” recited in the abstract), wherein said set of rules defines actions to be executed in dependency of an occurrence of conditions (see “each policy statement associates a condition of one of the traffic flows...and an action comprising one of the quality of service treatments” recited in column 6, line 10-14).

Art Unit: 2616

Regarding claim 14, a method comprising: administrating multi-radio access network (see network shown in Fig. 2, which may include wireless links as shown in column 17, line 21) for controlling a behavior of said multi-radio access mobile networks (see “administrator station 220” recited in column 7, line 26 and policy server 216 shown in Fig. 2; also see “a network administrator...may map application parameters into network services...” recited in column 9, line 42-45); implementing an information model (see “Schema...information model” recited in column 9, lines 19-21) which describes different Quality-of-Service mechanisms (see “mappings representing...network quality of service...” recited in column 5, line 25-28) including attributes which are involved in each function under policy to represent manageable parameters of specific network implementations (see “application-specific parameters” recited in column 9, line 18-28), wherein functions under policy include admission control for new radio access bearers and radio bearers, and/or a dynamic configuration of a packet scheduler and/or a load control (see “may place limits on the amount of resources...For example, an organization may agree not to send traffic that exceeds a certain bandwidth...” recited in column 3, lines 45-60; which represents a load control); and forming a set of policy rules based on the information model (see “Policies may be represented by statements stored in a directory schema” recited in the abstract), wherein said set of rules defines actions to be executed in dependency of an occurrence of conditions (see “each policy statement associates a condition of one of the traffic flows...and an action comprising one of the quality of service treatments” recited in column 6, line 10-14).

Art Unit: 2616

Regarding claim 16, the method further comprises storing said parameters in a configuration data base (see “Each Policy Statement in the Repository comprises stored information that represents a condition and an action involved in the policy” recited in column 15, line 21-30).

Regarding claim 25, a computer program embodied on a computer readable medium, the computer program being configured to control a processor to perform (see Fig. 8, which shows the computer system): administrating multi-radio access mobile networks (see network shown in Fig. 2, which may include wireless links as shown in column 17, line 21) to control a behavior of said multi-radio access mobile networks (see “administrator station 220” recited in column 7, line 26 and policy server 216 shown in Fig. 2; also see “a network administrator...may map application parameters into network services...” recited in column 9, line 42-45); implementing an information model (see “Schema...information model” recited in column 9, lines 19-21) which describes different Quality-of-Service mechanisms (see “mappings representing...network quality of service...” recited in column 5, line 25-28) including attributes which are involved in each function under policy to represent manageable parameters of specific network implementations (see “application-specific parameters” recited in column 9, line 18-28), where functions under policy include admission control for new radio access bearers and radio bearers, and/or a dynamic configuration of packet scheduler and/or a load control (see “may place limits on the amount of resources...For example, an organization may agree not to send traffic that exceeds a certain bandwidth...” recited in column 3, lines 45-60; which represents a load control); forming a set of policy rules

Art Unit: 2616

using said information model to define actions to be executed in dependency of an occurrence of conditions (see “each policy statement associates a condition of one of the traffic flows...and an action comprising one of the quality of service treatments” recited in column 6, line 10-14).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claim 1, 2, 4, 17-18, 21 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naveh in view of Blight (“Policy-Based networking architecture for QQOS interworking in IP management-scalable architecture for large scale enterprise-public interoperation”. Integrated Network Management V. Integrated Management in a

Art Unit: 2616

Virtual World. Proceedings of the IFIP/IEEE International Symposium on Integrated Network Management, 1999, pages 813-826, XP002179101, which is a non-patent literature received in the IDS filed by the applicant on 10/08/2004).

Naveh discloses a method for policy-based management of quality of service treatments of network data traffic flows including the following features.

Regarding claim 1, a system, comprising: a controller (see “administrator station 220” recited in column 7, line 26 and policy server 216 shown in Fig. 2) configured to administrate multi-radio access network (see network shown in Fig. 2, which may include wireless links as shown in column 17, line 21) and to control a behavior of said multi-radio access mobile networks (see “administrator station 220” recited in column 7, line 26 and policy server 216 shown in Fig. 2; also see “a network administrator...may map application parameters into network services...” recited in column 9, line 42-45), wherein an information model (see “Schema...information model” recited in column 9, lines 19-21) is implemented in said control center means which describes different Quality-of-Service mechanisms (see “mappings representing...network quality of service...” recited in column 5, line 25-28) including attributes which are involved in each function under policy to represent manageable parameters of specific network implementations (see “application-specific parameters” recited in column 9, line 18-28), wherein functions under policy include admission control for new radio access bearers and radio bearers, and/or a dynamic configuration of a packet scheduler and/or a load control (see “may place limits on the amount of resources...For example, an organization may agree not to send traffic that exceeds a certain bandwidth...” recited in

Art Unit: 2616

column 3, lines 45-60; which represents a load control); and a processor configured to a set of policy rules based on the information model (see “Policies may be represented by statements stored in a directory schema” recited in the abstract), wherein said set of rules defines actions to be executed in dependency of an occurrence of conditions (see “each policy statement associates a condition of one of the traffic flows...and an action comprising one of the quality of service treatments” recited in column 6, line 10-14); and a policy based management device (policy server 604 or network device 620 in Fig. 6A) configured to receive said set of rules for the implementation thereof (see “Policy Server 604...map application parameter into network services...” recited in column 9, line 42-45, that is, the policy servers may receive policy rules stored in the policy repository), said device having, a plurality of policy based radio resource management devices each configured to respectively manage said parameters of specific network implementations (see “Policy Server 604 configures the network devices 620 to implement the network services and to correctly respond to signaling from application 608” recited in column 9, line 56-67, that is, the devices 620 are the radio resource management means), and a translation function device configured to translate said rules into a form executable by said plurality of policy based radio resource management devices (see “abstract definitions of services that are later translated into a specific configuration of network device” recited in column 15, line 36-44).

Regarding claim 2, wherein said set of rules is implemented in a policy server (see “Policy Server 604 provides a mechanism by which a network administrator or manager may map application parameters into network services...” recited in column 9,

Art Unit: 2616

line 42-45 of the Policy system section, thus, the policy server implements the policy by allowing the management of the parameters, in addition, see the “Repository 600 stores policies...” recited in column 9, line 4-6, and the Repository could also be considered a policy server).

Regarding claim 4, wherein said control center device further comprises a configuration data base configured to store said parameters (see “storing one or more mappings comprises registering one or more application codepoints, which are associated with traffic flow types, in the repository...” recited in column 5, line 36-50; and see “storing...conditions of one of the traffic flows...and an action...” recited in column 6, line 15-26).

Regarding claim 17, an system, comprising: controlling means (see “administrator station 220” recited in column 7, line 26 and shown in Fig. 2 and see Network Admin Client 602 in Fig. 6A) for administrating multi-radio access network (see network shown in Fig. 2, which may include wireless links as shown in column 17, line 21) for controlling a behavior of said multi-radio access mobile networks (see “administrator station 220” recited in column 7, line 26 and policy server 216 shown in Fig. 2; also see “a network administrator...may map application parameters into network services...” recited in column 9, line 42-45), wherein an information model (see “Schema...information model” recited in column 9, lines 19-21) is implemented in said control center means (see Repository 218 and policy server 216 in Fig. 2) which describes different Quality-of-Service mechanisms (see “mappings representing...network quality of service...” recited in column 5, line 25-28) including

Art Unit: 2616

attributes which are involved in each function under policy to represent manageable parameters of specific network implementations (see “application-specific parameters” recited in column 9, line 18-28), wherein functions under policy include admission control for new radio access bearers and radio bearers, and/or a dynamic configuration of a packet scheduler and/or a load control (see “may place limits on the amount of resources...For example, an organization may agree not to send traffic that exceeds a certain bandwidth...” recited in column 3, lines 45-60; which represents a load control); processing means (see policy server in Fig. 216 and administrator station 220 in Fig. 2) for forming a set of policy rules based on the information model (see “Policies may be represented by statements stored in a directory schema” recited in the abstract), wherein said set of rules defines actions to be executed in dependency of an occurrence of conditions (see “each policy statement associates a condition of one of the traffic flows...and an action comprising one of the quality of service treatments” recited in column 6, line 10-14); policy based management device means for receiving said set of rules for the implementation thereof (policy server 604 or network device 620 in Fig. 6A) configured to receive said set of rules for the implementation thereof (see “Policy Server 604...map application parameter into network services...” recited in column 9, line 42-45, that is, the policy servers may receive policy rules stored in the policy repository), said policy based management device means having plurality of policy based radio resource management means each for respectively managing said parameters of specific network implementations (see “Policy Server 604 configures the network devices 620 to implement the network services and to correctly respond to

Art Unit: 2616

signaling from application 608” recited in column 9, line 56-67, that is, the devices 620 are the radio resource management means), and a translation function device configured to translate said rules into a form executable by said plurality of policy based radio resource management devices (see “abstract definitions of services that are later translated into a specific configuration of network device” recited in column 15, line 36-44).

Regarding claim 18, an apparatus, comprising: a receiver (see Fig. 6A, where communication, which must involves a receiver, between policy server 604 and repository 600, which stores the policy statements) configured to receive a set of rules defining actions to be executed in dependency of an occurrence of conditions (see “each policy statement associates a condition of one of the traffic flows...and an action comprising one of the quality of service treatments” recited in column 6, line 10-14); a processor configured to implement the set of rules (see “Policy Server 604 configures the network devices 620 to implement the network services and to correctly respond to signaling...” recited in recited in column 9, line 56-67); a plurality of controller configured to perform policy based radio resource management and to respectively manage parameters of specific network implementations (see “Policy Server 604 configures the network devices 620 to implement the network services and to correctly respond to signaling from application 608” recited in column 9, line 56-67, that is, the devices 620 are the radio resource management means) which concern functions including admission control for new radio access bearers and radio bearers, and/or a dynamic configuration of a packet scheduler and/or a load control (see “may place limits on the

Art Unit: 2616

amount of resources...For example, an organization may agree not to send traffic that exceeds a certain bandwidth..." recited in column 3, lines 45-60; which represents a load control); and a translator configured to translate the rules into a form executable by the plurality of controllers (see "abstract definitions of services that are later translated into a specific configuration of network device" recited in column 15, line 36-44).

Regarding claim 21, an apparatus, comprising: receiving means (see Fig. 6A, where communication, which must involves a receiver, between policy server 604 and repository 600, which stores the policy statements) for receiving a set of rules defining actions to be executed in dependency of an occurrence of conditions (see "each policy statement associates a condition of one of the traffic flows...and an action comprising one of the quality of service treatments" recited in column 6, line 10-14); implementation means for implementing the set of rules (see "Policy Server 604 configures the network devices 620 to implement the network services and to correctly respond to signaling..." recited in recited in column 9, line 56-67); a plurality of policy based radio resource management means for respectively managing parameters of specific network implementations (see "Policy Server 604 configures the network devices 620 to implement the network services and to correctly respond to signaling from application 608" recited in column 9, line 56-67, that is, the devices 620 are the radio resource management means) which concern functions including admission control for new radio access bearers and radio bearers, and/or a dynamic configuration of a packet scheduler and/or a load control (see "may place limits on the amount of resources...For example, an organization may agree not to send traffic that exceeds a certain bandwidth..."

Art Unit: 2616

recited in column 3, lines 45-60; which represents a load control); and translation function means for translating the rules into a form executable by the plurality of controllers (see “abstract definitions of services that are later translated into a specific configuration of network device” recited in column 15, line 36-44).

Regarding claim 26, a computer program embodied on a computer readable medium, the computer program being configured to control a processor to perform (see Fig. 8, which shows the computer system): receiving (see Fig. 6A, where communication, which must involves a receiver, between policy server 604 and repository 600, which stores the policy statements) a set of rules defining actions to be executed in dependency of an occurrence of conditions (see “each policy statement associates a condition of one of the traffic flows...and an action comprising one of the quality of service treatments” recited in column 6, line 10-14); implementing the set of rules (see “Policy Server 604 configures the network devices 620 to implement the network services and to correctly respond to signaling...” recited in column 9, line 56-67); respectively managing parameters of specific network implementations (see “Policy Server 604 configures the network devices 620 to implement the network services and to correctly respond to signaling from application 608” recited in column 9, line 56-67, that is, the devices 620 are the radio resource management means) which concern functions including admission control for new radio access bearers and radio bearers, and/or a dynamic configuration of a packet scheduler and/or a load control (see “may place limits on the amount of resources...For example, an organization may agree not to send traffic that exceeds a certain bandwidth...” recited in column 3, lines

Art Unit: 2616

45-60; which represents a load control); translating said rules into a form executable by a plurality of controller configured to perform policy based radio resource management (see “abstract definitions of services that are later translated into a specific configuration of network device” recited in column 15, line 36-44).

Naveh does not disclose the following features: regarding claim 1, 17, 18, 21 and 26, wherein the translating function means is included in said device (or the policy server of Naveh's invention).

Blight discloses a policy-based network architecture for QoS interworking in IP management including the following features.

Regarding claim 1, 17, 18, 21 and 26, wherein the translating function means is included in the policy server (see “a policy server to interpret policy” recited on page 817, third paragraph).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Naveh using features, as taught by Blight, in order to provide policy parameters to the network devices.

6. Claim 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naveh and Blight as applied to claim 1 above, and further in view of Wright (US 7,082,102).

Naveh and Blight disclose the claimed limitations.

Naveh also discloses the following features.

Regarding claim 5, a policy enforcement device configured to represent entities whose behavior is going to be managed by said policy means (see local policy enforcer 210 shown in Fig. 3); a policy decision device configured to define a group of functionalities in charge of acquiring, deploying and translating said policy rules into a form executable by said policy enforcement means (see "policy server 604 provides a mechanism by which a network administrator or manager may map application parameters..." recited in column 9, line 42-67); a policy repository device configured to contain the policies defined an administrator of said radio access networks (see policy repository 600 in Fig. 6A); a management information base device configured to inform about the behavior of said policy enforcement means (see traffic flow state machine 310, which keeps track of the behavior, and communication engine 312, which communicates the behavior to the policy server, in Fig. 3).

Naveh and Blight do not disclose the following features: regarding claim 3, wherein said control center means comprises a user interface for entering and/or selecting a policy according to a specific subset of rules; regarding claim 5, a policy information base device configured to contain possible rules of all relevant functions of a specific policy enforcement devices so that said rules can be downloaded by said policy decision means into said policy enforcement device; regarding claim 15, entering and/or selecting a policy according to a specific subset of rules through a user interface.

Wright discloses a system for policy-enabled communication networks.

Regarding claim 3, wherein said control center means comprises a user interface configured to enter and/or select a policy according to a specific subset of rules (see "a

Art Unit: 2616

policy management console ("PMC") 100 to provide a human interface to the policy system...PMC 100 can be used to generate policies...and to administer the distribution of policies..." recited in column 2, line 44-50).

Regarding claim 5, a policy information base device (see "Policy Information Base" recited in column 3, line 32) configured to contain possible rules of all relevant functions of a specific policy enforcement devices (see "Policy Enforcement Point" recited in column 2, line 40) so that said rules can be downloaded by said policy decision devices (see "Policy Decision Means" recited in column 2, line 40) into said policy enforcement means.

Regarding claim 15, entering and/or selecting a policy according to a specific subset of rules through a user interface (see "a policy management console ("PMC") 100 to provide a human interface to the policy system...PMC 100 can be used to generate policies...and to administer the distribution of policies..." recited in column 2, line 44-50).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Naveh and Blight using features, as taught in Wright, in order to provide the correct policy to the local network devices.

7. Claim 11, 19-20, 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Naveh as applied to claims 10, 18 and 22 above, and further in view of Wright.

Naveh discloses the claimed limitations as shown in the above paragraphs.

Art Unit: 2616

Naveh also discloses the following features.

Regarding claim 20, a distributor configured to distribute functions resulting from policy rules into logical control plane elements and/or logical user plane elements (see “Policy Server 604 configures the network devices 620 to implement the network services and to correctly respond to signaling from Application 608” recited in column 9, line 60-62; that is, the Policy Server distributes policy functions to the network devices, which are considered the logical control plane elements).

Regarding claim 24, distributing functions resulting from policy rules in to logical control plane elements and/or logical user plane elements (see “Policy Server 604 configures the network devices 620 to implement the network services and to correctly respond to signaling from Application 608” recited in column 9, line 60-62; that is, the Policy Server distributes policy functions to the network devices, which are considered the logical control plane elements).

Naveh does not disclose the following features: regarding claim 11, wherein said control center means comprises a user interface for entering and/or selecting a policy according to a specific subset of rules; regarding claim 19, an evaluator configured to evaluate the conditions; an executor in operable connection with the evaluator and configured to executed actions prescribed by said policy rules as a consequence from the occurrence of certain conditions; and an administrator configured to administrate said policy rules if they take effect on the Quality-of-Service behavior at the network level; regarding claim 23, evaluating the conditions; executing actions prescribed by said policy rules as a consequence from the occurrence of certain conditions; and

Art Unit: 2616

administering said policy rules if they take effect on the Quality-of-Service behavior at the network level.

Wright discloses a system for policy-enabled communication networks.

Regarding claim 11, wherein said control center means comprises a user interface configured to enter and/or select a policy according to a specific subset of rules (see "a policy management console ("PMC") 100 to provide a human interface to the policy system...PMC 100 can be used to generate policies...and to administer the distribution of policies..." recited in column 2, line 44-50).

Regarding claim 19, an evaluator configured to evaluate the conditions (see "monitored for performance..." recited in column 5, lines 45-50; and see the network status 810 and network topology 815 monitoring means in Fig. 8 and 9); an executor in operable connection with the evaluator to execute actions prescribed by said policy rules as a consequence from the occurrence of certain conditions (see "...monitored for performance to ensure that the service it provides continues to behave as expected..." recited in column 5, lines 45-62 and see configuration data translation means 805 in Fig. 8 and 9); and an administrator configured to administer said policy rules if they take effect on the Quality-of-Service behavior at the network level (see "LSP Life Cycle Policies...Configuring the LSPs involves the creation and deletion of LSPs in the network according to some QoS or other criteria.." recited in column 5, lines 24-62).

Regarding claim 23, evaluating the conditions (see "monitored for performance..." recited in column 5, lines 45-50; and see the network status 810 and network topology 815 monitoring means in Fig. 8 and 9); executing actions prescribed

Art Unit: 2616

by said policy rules as a consequence from the occurrence of certain conditions (see "...monitored for performance to ensure that the service it provides continues to behave as expected..." recited in column 5, lines 45-62 and see configuration data translation means 805 in Fig. 8 and 9); and administering said policy rules if they take effect on the Quality-of-Service behavior at the network level (see "LSP Life Cycle Policies...Configuring the LSPs involves the creation and deletion of LSPs in the network according to some QoS or other criteria.." recited in column 5, lines 24-62).

It would have been obvious to one of the ordinary skill in the art at the time of the invention to modify the system of Naveh using features, as taught in Wright, in order to provide the correct policy to the local network devices.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

Art Unit: 2616

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JUTAI KAO whose telephone number is (571)272-9719. The examiner can normally be reached on Monday ~Friday 7:30 AM ~5:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kwang Yao can be reached on (571)272-3182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ju-Tai Kao

/Ju-Tai Kao/
Acting Examiner of Art Unit 2616

/Kwang B. Yao/
Supervisory Patent Examiner, Art Unit 2616